THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.23154 of 2005

03.11.2005

Between:

1. Syed Jaffar Mohiuddin, S/o.late Syed Ghouse

and others

… Petitioners

AND

1. The Collector-I, Ranga Reddy District, Ranga Reddy

and others

… Respondents

ORDER:

The land admeasuring Acs.2.05 gts., in survey No.279 of Alur-I village, Chevella Mandal, Ranga Reddy District originally belongs to late Syed Ghouse, father of the petitioners herein. He applied to Inams Tribunal under A.P. (Telangana Area) Abolition of Inams Act, 1955 (the Act, for short) for grant of Occupancy Rights Certificate (ORC). Late Syed Ghouse also sought ORC in respect of land in survey No.328 admeasuring Acs.20.18 gts. The Revenue Divisional Officer by proceedings dated 16.10.1979 declared that late Syed Ghouse was entitled for ORC in respect of entire extent of Acs.2.05 gts., in survey No.279 but insofar as survey No.328 is concerned, late Syed Ghouse was declared to be eligible for ORC in respect of Acs.6.39 gts., only. Aggrieved by the same, the petitioners preferred appeal before the Joint Collector, which is still pending.

The petitioners alleged that as they did not file any appeal insofar as survey No.279 is concerned, they filed an application before the second respondent for issuance of ORC. By impugned memo dated 12.9.2005, second respondent informed the petitioners that necessary ORC would be issued after disposal of the appeal before the Joint Collector. In this writ petition, it is contended that the petitioners did not file any appeal in respect of the land in survey No.279 and therefore rejection of ORC is illegal.

After getting instructions in the matter, the learned Assistant Government Pleader for Revenue (General) submits that the appeal filed by the petitioners is in relation to both the survey numbers i.e., 279 and 328 and therefore the impugned memo was issued by the second respondent. A copy of the grounds of appeal under Section 24 of the Act filed before the Joint Collector is placed before this Court. It would also support the submission of the learned Assistant Government Pleader. Therefore, no

relief can be granted in this writ petition. However, liberty is given to the petitioners to approach the Joint Collector either to withdraw the appeal insofar as the survey No.279 is concerned or for expeditious disposal of the entire appeal. The Joint Collector is directed to dispose of the appeal itself within a period of three weeks from the date of receipt of a copy of this order. After disposal of the appeal, the second respondent shall take necessary action as per the orders in the appeal.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S. RAO,J**)

November 03, 2005.

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